



STAFF REPORT

AGENDA ITEM: 10

CASE NUMBER: S.U.P. 16-16 **L.U.C.B. MEETING:** November 10, 2016; Held from October 13, 2016

LOCATION: 161 and 191 Jefferson Avenue (Parcel ID 002024 00002 and Parcel ID 002024 00003)

COUNCIL DISTRICT(S): District 6; Super District 8-Positions 1, 2 & 3

OWNER/APPLICANT: Vibrant Hotels, Inc.

REPRESENTATIVE: Vince Vaghela

REQUEST: A Special Use Permit to allow a hotel.

AREA: 0.495 Acres

EXISTING LAND USE & ZONING: Vacant office; Central Business District (CBD)

CONCLUSIONS

1. The applicant filed a previous Special Use Permit application, SUP 07-205, which was recommended for approval by the Land Use Control Board on June 14, 2007 and approved by the Memphis City Council on July 10, 2007. The purpose of this application is to acquire the same zoning entitlement as the previously filed and approved application.
2. The subject property is a 12-story vacant office building, formerly known as the Tenoke Building, located on the south of Jefferson Avenue, just one block south of the Shelby County Courthouse building in downtown Memphis. The building dates from 1911.
3. The subject property is located in the Central Business District. Other zoning districts in the surrounding area include the Sports/Entertainment Special Purpose district. Primary land uses within the subject area include office, institutional, vacant and commercial uses. The applicant has requested a special use permit in order to establish a hotel.
4. Staff believes that, with the implementation of the attached conditions, the proposed development will not have a substantial or undue effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare. Staff also believes this application with conditions is in accordance with the approval criteria in Section 9.6.9 of the Unified Development Code for planned development.

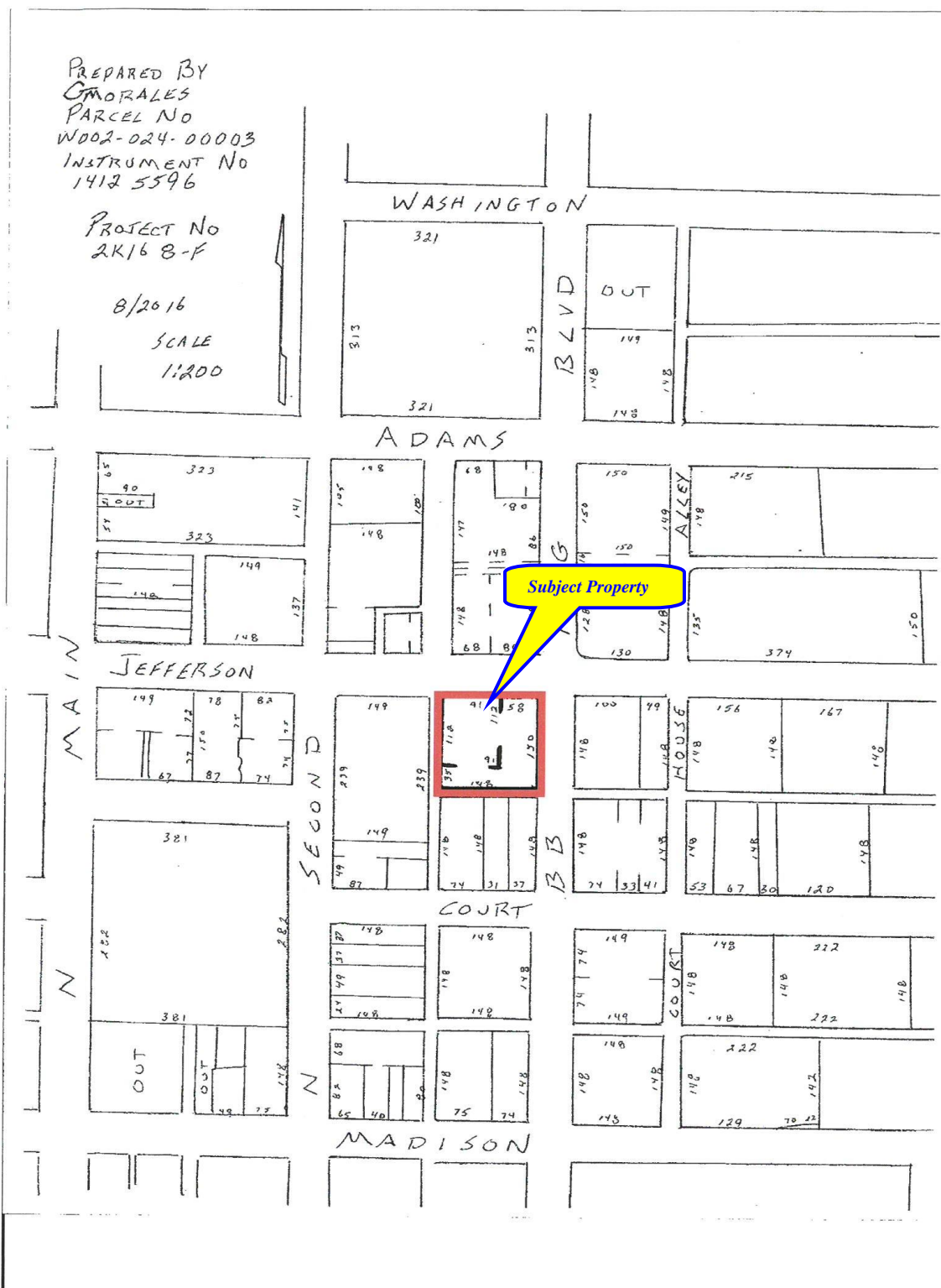
RECOMMENDATION

Approval with Conditions

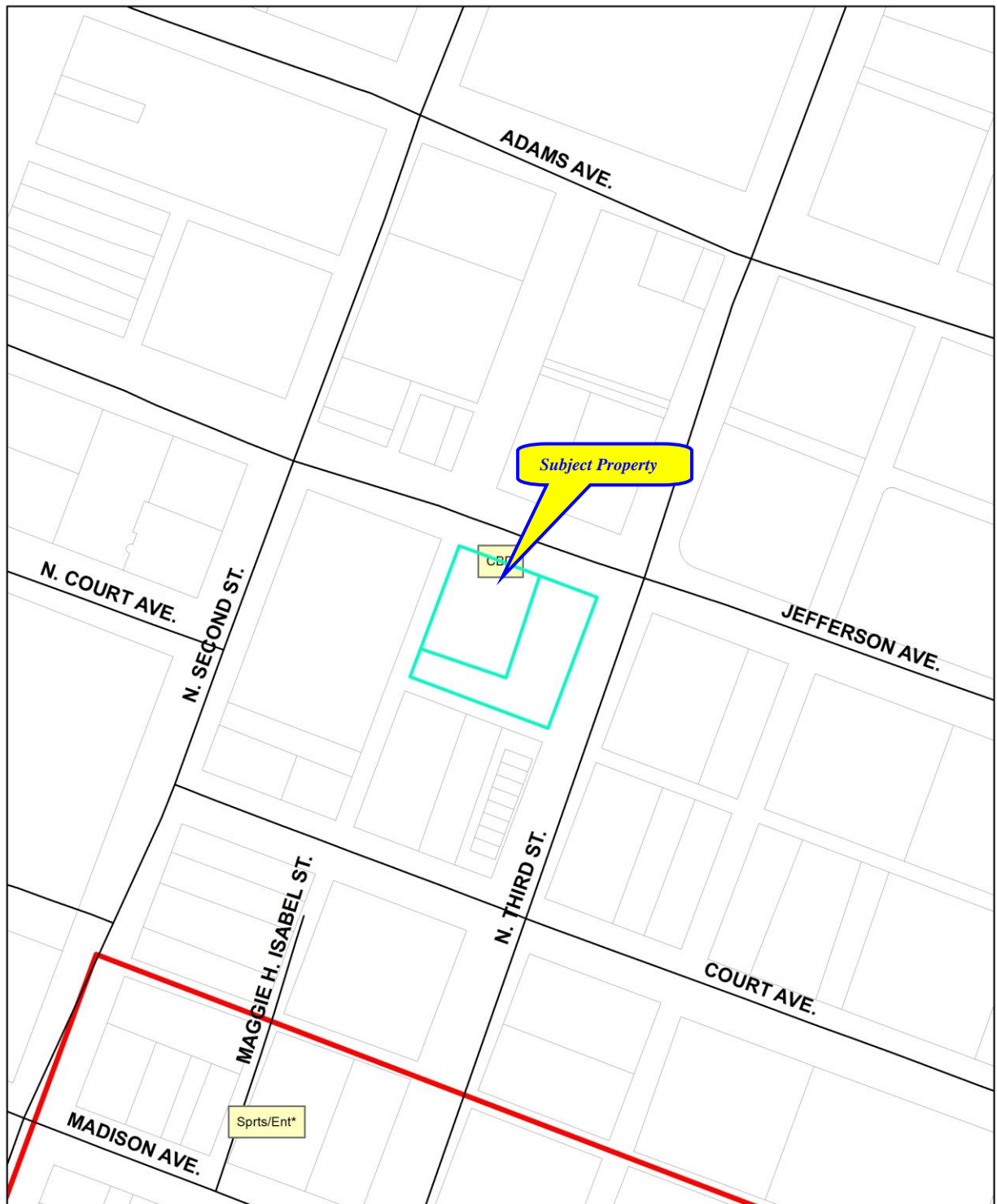
Staff Writer: *Gene C. Burse*

E-mail: gene.burse@memphistn.gov

VICINITY MAP



ZONING MAP



0 70 140 280 Feet

LAND USE MAP



0 70 140 280 Feet

AERIAL OF SITE

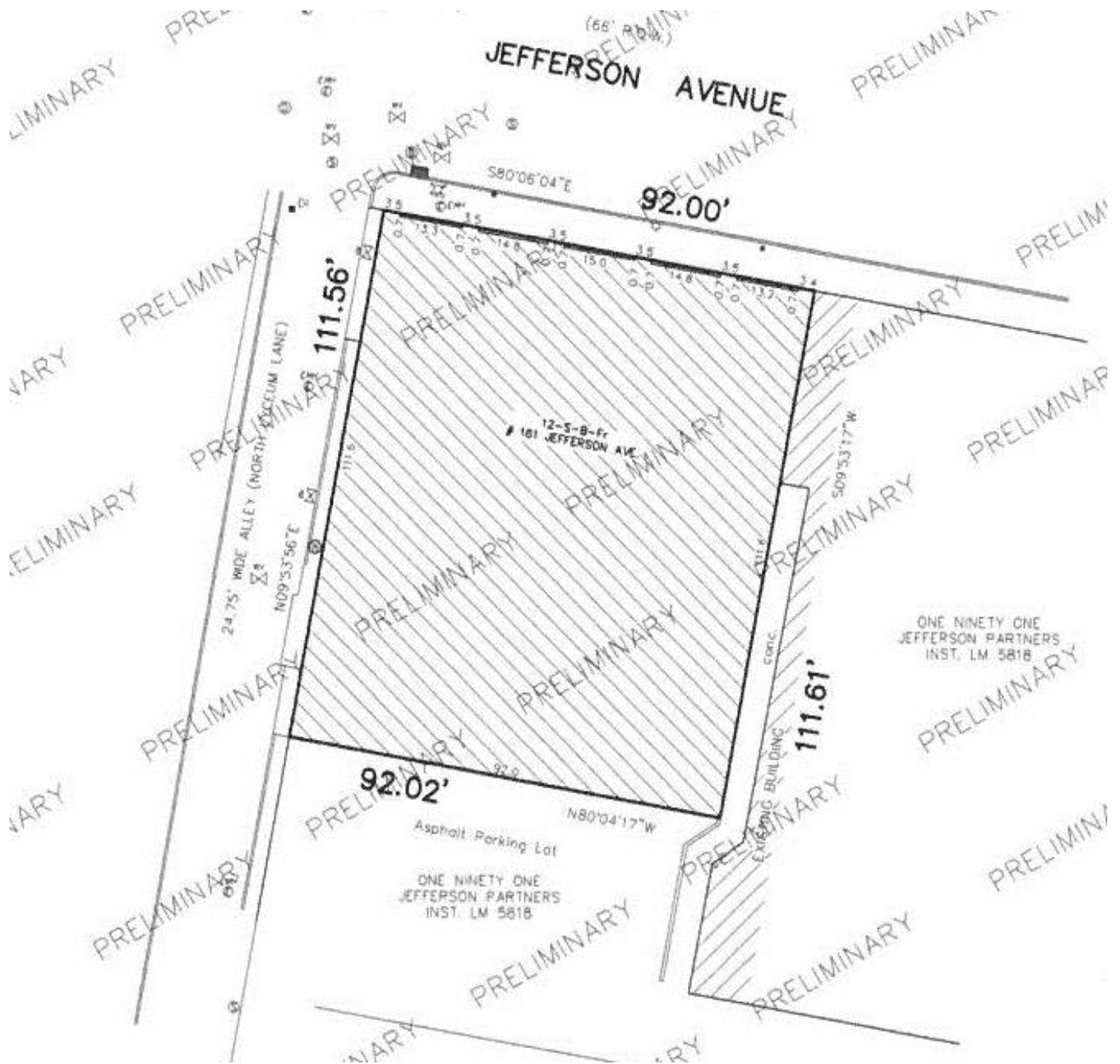


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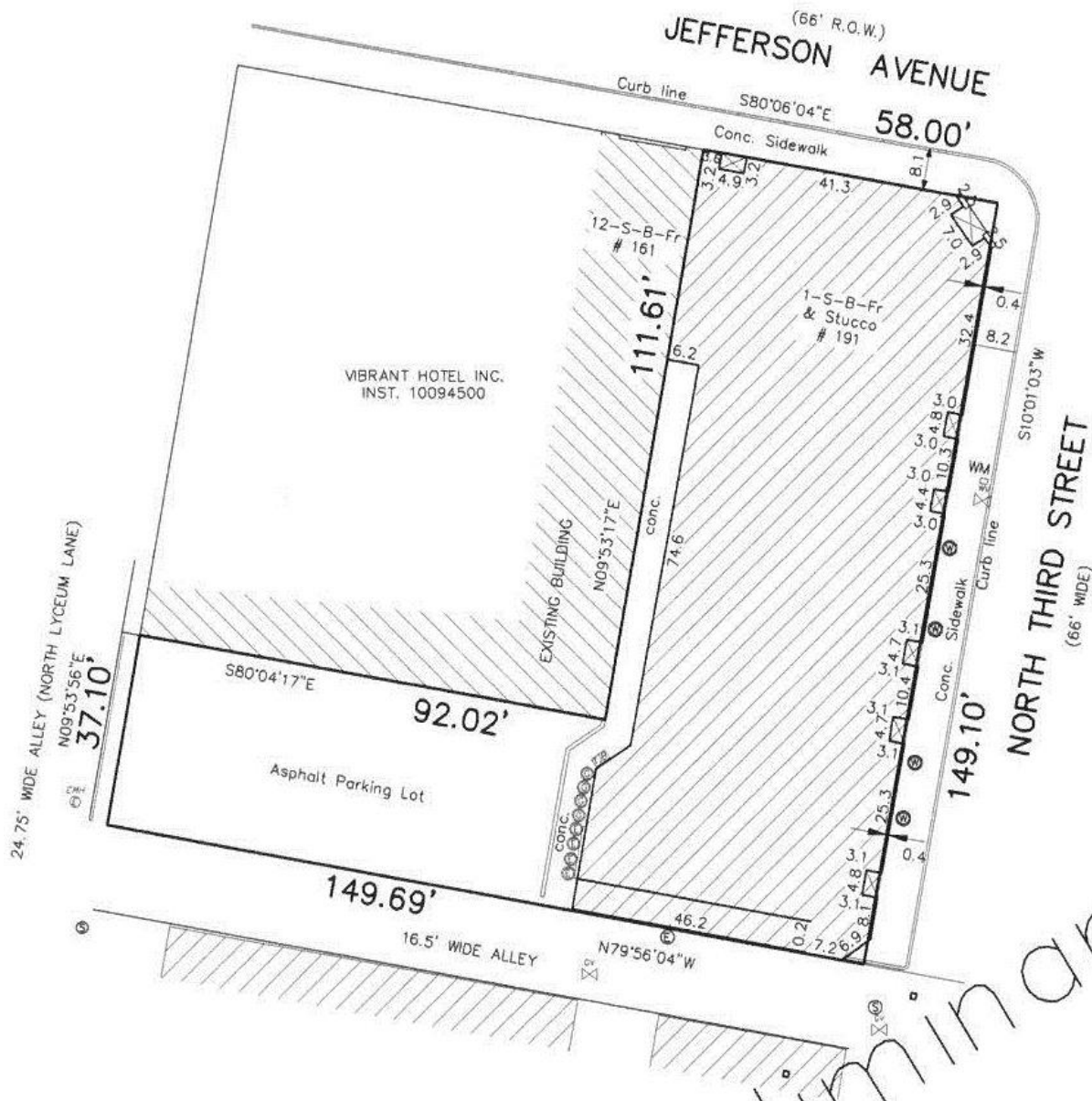
SITE VISIT PHOTOS



SURVEY

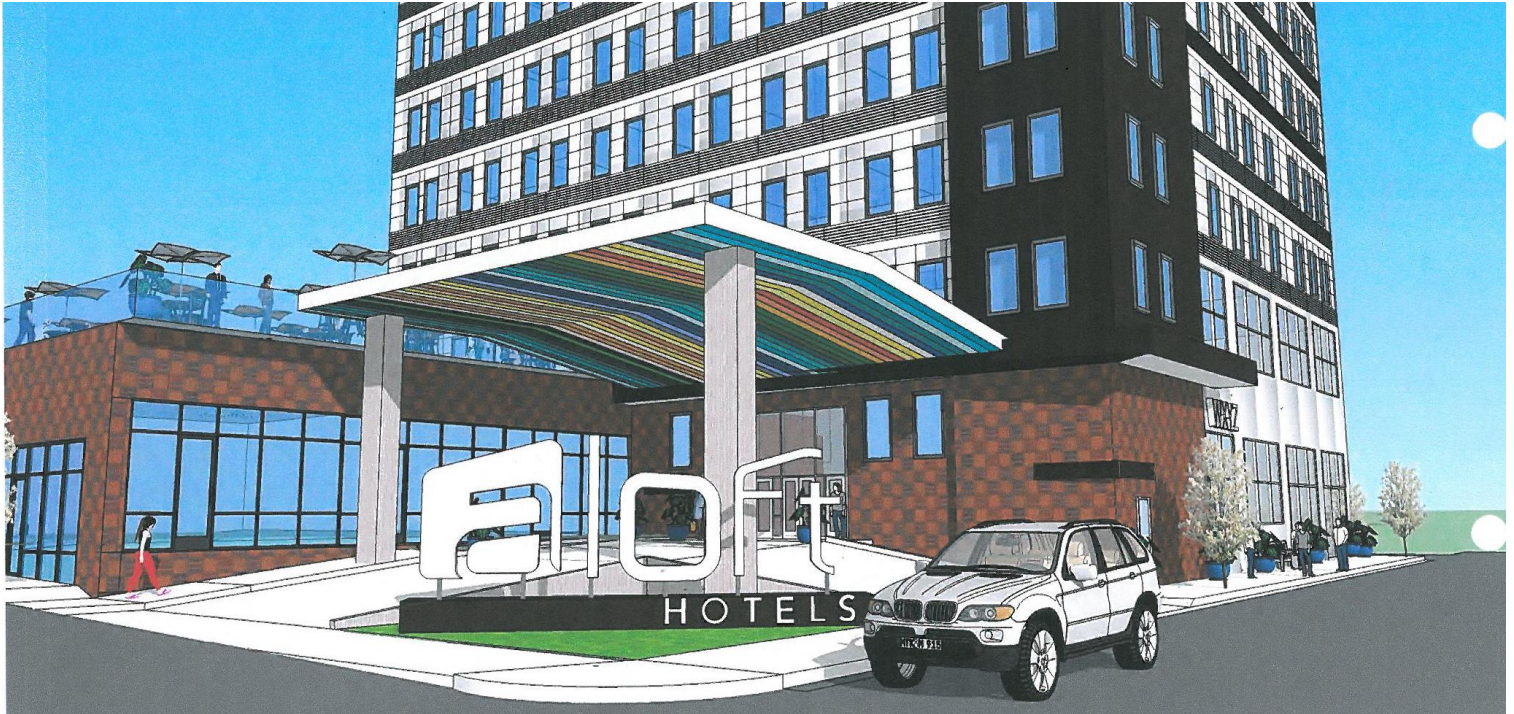


SURVEY



1st FLOOR PLAN
SCALE: 1/8" = 1'-0"

CONCEPTUAL DRAWINGS



NOTICE

Mailed Notice was sent on Friday, September 30, 2016.

AFFIDAVIT


Shelby County
State of Tennessee

I, Tina Parmar, being duly sworn, depose and say that at 4 am/pm on the 19 day of October, 2016, I posted a Public Notice Sign(s) pertaining to Case No. SUP 16-16 at 191 Jefferson at _____ (address) _____ providing notice of a Public Hearing before the _____ Land Use Control Board, _____ Memphis City Council, _____ Shelby County Board of Commissioners for consideration of a proposed Land Use Action (_____ Planned Development, _____ Special Use Permit, _____ Use Variance, Zoning District Map Amendment), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Tina _____ 10-24-16
Owner, Applicant or Representative Date

Subscribed and sworn to before me this 24 day of October, 2016.
Robert
Notary Public

My commission expires: 03-07-17





STAFF ANALYSIS

The subject property is a 12-story vacant office building, formerly known as the Tenoke Building, located on the south of Jefferson Avenue, just one block south of the Shelby County Courthouse building in downtown Memphis. The building dates from 1911. The building itself is the site.

The front of the building sits directly on the Jefferson Avenue right of way line. The west side of the building sits on the Lyceum Alley property line. Along the east side, the subject building abuts the adjoining office building with a zero setback. Along south side the legal description makes the property line follow the back wall of the building, cutting it off from the adjoining surface parking lot. The existence of any access easements is unknown, insofar as this special use permit application is concerned.

The subject property is located in the Central Business District. Other zoning districts in the surrounding area include the Sports/Entertainment Special Purpose district. Primary land uses within the subject area include office, institutional, vacant and commercial uses. The applicant has requested a special use permit in order to establish a hotel. Generally speaking, central business district environments are regarded as suitable for hotels and motels. No screening is required between office/commercial uses. Streetscape planting requirements have been inoperative in the CBD zoning district due to the lack front yard setbacks.

The applicant filed a previous Special Use Permit application, SUP 07-205, which was recommended for approval by the Land Use Control Board on June 14, 2007, and approved by the Memphis City Council on July 10, 2007. The purpose of this application is to acquire the same zoning entitlement as the previously filed and approved application.

Staff believes that with the implementation of the attached conditions the proposed development will not have a substantial or undue effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare. Staff also believes this application with conditions is in accordance with the approval criteria in Section 9.6.9 of the Unified Development Code for planned development.

RECOMMENDATION

Approval with Conditions

CONDITIONS

1. The hotel at this location shall in no way be operated in the manner described by the definition of Hotel (Hourly Rate) in the Memphis and Shelby County Zoning Ordinance.
2. Any and all garbage dumpsters shall be screened from public view.
3. This facility shall be designed, built and operated in accordance with all State statutes and local ordinance and all official policies and procedures adopted pursuant thereto.

GENERAL INFORMATION

Zoning Atlas Page: 2025

Parcel ID: Parcel ID 002024 00002 and Parcel ID 002024 00003

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City/County Engineer:

1. Standard Subdivision Contract as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewers are available at developer's expense.

Traffic Control Provisions

3. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5 foot wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5 foot clear pedestrian path, an exception may be considered.
4. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time

limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.

5. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for land Development of the City of Memphis Division of Engineering Design and Policy Review Manual.

Curb Cuts/Access:

6. The developer should be aware of the daily congestion of traffic on Jefferson at this intersection which is specifically associated with the afternoon school traffic on the northwest corner across from this intersection.
7. The proposed curb cuts shall be one way traffic only with the entry on Jefferson Avenue and the exit on BB King Blvd.
8. The proposed curb cut on Jefferson shall be signed for no-left turn entry westbound on Jefferson due to the close proximity of the signalized intersection. A left turn into the proposed drive entry will have only one westbound lane from which to turn left and any resulting queue will back vehicles up into the intersection.
9. A more favorable alternative for this hotel entry would be to use the metered parking area on the west side of BB King Blvd for valet parking for the hotel. This will reduce congestion and allow more drop off/unloading area for hotel guests.
10. Where does the applicant plan to park the guest vehicles?
11. The City Engineer shall approve the design, number and location of curb cuts.
12. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
13. The developer shall be responsible for the paving overlay of the alleys immediately abutting this project site.
14. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards,

Drainage:

15. Drainage improvements shall be provided under a Standard Subdivision contract in

accordance with Unified Development Code and the City of Memphis Drainage Design Manual.

General Notes:

16. The width of all existing off-street sewer easements shall be widened to meet current city standards.
17. Required landscaping shall not be placed on sewer or drainage easements.

City/County Fire Division:	No comments received.
City Real Estate:	No comments received.
City/County Health Department:	<i>No comments by the Water Quality Branch & Septic Tank Program.</i>
Shelby County Schools:	No comments received.
Construction Code Enforcement:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Neighborhood Associations:	No comments received.

APPLICATION



Memphis and Shelby County
Office of Planning and Development
CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

APPLICATION FOR SPECIAL USE PERMIT
APPROVAL/AMENDMENT

Date: 08/29/2016

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: VIBRANT HOTELS, INC & JVD JEFFERSON AVE, INC Phone #: 901-270-8544
Mailing Address: 280 Power Drive Batesville City/State: Batesville, MS Zip 38606
Property Owner E-Mail Address: VINCEVAGHELA@HOTMAIL.COM
Applicant: VINCE VAGHELA Phone # 901-270-8544
Mailing Address: 280 Power Drive City/State: Batesville, MS Zip 38606
Applicant E- Mail Address: VINCEVAGHELA@HOTMAIL.COM
Representative: VINCE VAGHELA Phone #: 901-270-8544
Mailing Address: 280 Power Drive City/State: Batesville, MS Zip 38606
Representative E-Mail Address: VINCEVAGHELA@HOTMAIL.COM
Engineer/Surveyor: CAMPBELL SURVEYING COMPANY Phone # 901-683-9114
Mailing Address: 1023 S YATES ROAD City/State: MEMPHIS, TN Zip 38119
Engineer/Surveyor E-Mail Address: CHARLES@CAMPBELLSSURVEYING.NET
Street Address Location: 191 & 161 JEFFERSON AVENUE
Distance to nearest intersecting street: PROPERTY IS LOCATED AT THE SW CORNER OF JEFFERSON AVENUE & N B.B.KING BLVD.

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	0.2590	0.2360	
Existing Zoning:	COMMERCIAL C B D	COMMERCIAL C B D	
Existing Use of Property	OFFICE BUILDING	OFFICE BUILDING	
Requested Use of Property			

Amendment(s): Any revision to an approved Special Use Permit that does not meet the provisions for Major or Minor Modifications shall be proposed as an amendment. Time extensions (see Subsection 9.6.14B of the UDC) to and requests to exceed 24-month limitation on discontinuance (see Subsection 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16.

Yes _____ No x

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: _____ Bedrooms: _____

Expected Appraised Value per Unit: _____ or Total Project: _____

LETTER OF INTENT (PAGE 1)

Vibrant Hotels, Inc.

280 Power Drive, Batesville, MS 38606
Phone: (901) 270-8544 Fax: (662) 563-1237
Email: vincevaghela@hotmail.com

August 29, 2016

Mr. Josh Whitehead
Planning Director
Memphis and Shelby County Office of Planning and Development
125 North Main Street, Room 468
Memphis, TN 38103-2084

Re: Application for Full Service Hotel at 161 and 191 Jefferson Avenue, Memphis, TN
38103

Dear Ms. Jones,

On behalf of Vibrant Hotels, Inc., I would like to submit an application for the upcoming LUCB meeting on **October 13, 2016** for converting existing office buildings located at 161 and 191 Jefferson Avenue to a full service hotel. Below I have provided a project narrative which both describe the construction of full service hotel and identify the site improvement proposed by the applicant. A listing of the suitable documents follows the narrative.

Project Narrative:

Vibrant Hotels, Inc. would like to convert existing office buildings to an upper brand franchised full service hotel at 161 and 191 Jefferson Avenue, Memphis, TN. This proposal is to get approval for the construction of full service hotel with attractively enhanced exterior, elegant common area and spacious guest rooms with new edge technology and amenities.

Submittal Documents:

Enclosed-

- Application for Special Use Permit
- Application Fees \$500.00
- Plot Plan
- Legal Description
- Vicinity Map
- Site Plan
- 2 Sets of Mailing Labels
- 2 Sets of Mailing Labels Paper Copy
- 5 Sets of Mailing Labels of

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280 Power Drive, Batesville, MS 38606
Phone: (901) 270-8544 Fax: (662) 563-1237 Email: vincevaghela@hotmail.com

LETTER OF INTENT (PAGE 2)

Existing Owners
Equitable Owners
Authorized Agent/Engineer/Surveyor
Copy of the Deed
Exterior of the Building
Rendering of the Proposed Building
7 Copies of the following
Plot Plan
Legal Description
Site Plan
Vicinity Map

Should you require any further information please do not hesitate to contact me at (901) 270-8544

Thanking You,

Sincerely,



Vince Vaghela
President
Vibrant Hotels, Inc.

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280 Power Drive, Batesville, MS 38606
Phone: (901) 270-8544 Fax: (662) 563-1237 Email: vincevaghela@hotmail.com